



**VILLAGE OF WESTMONT  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**MEETING DATE: May 11, 2016**

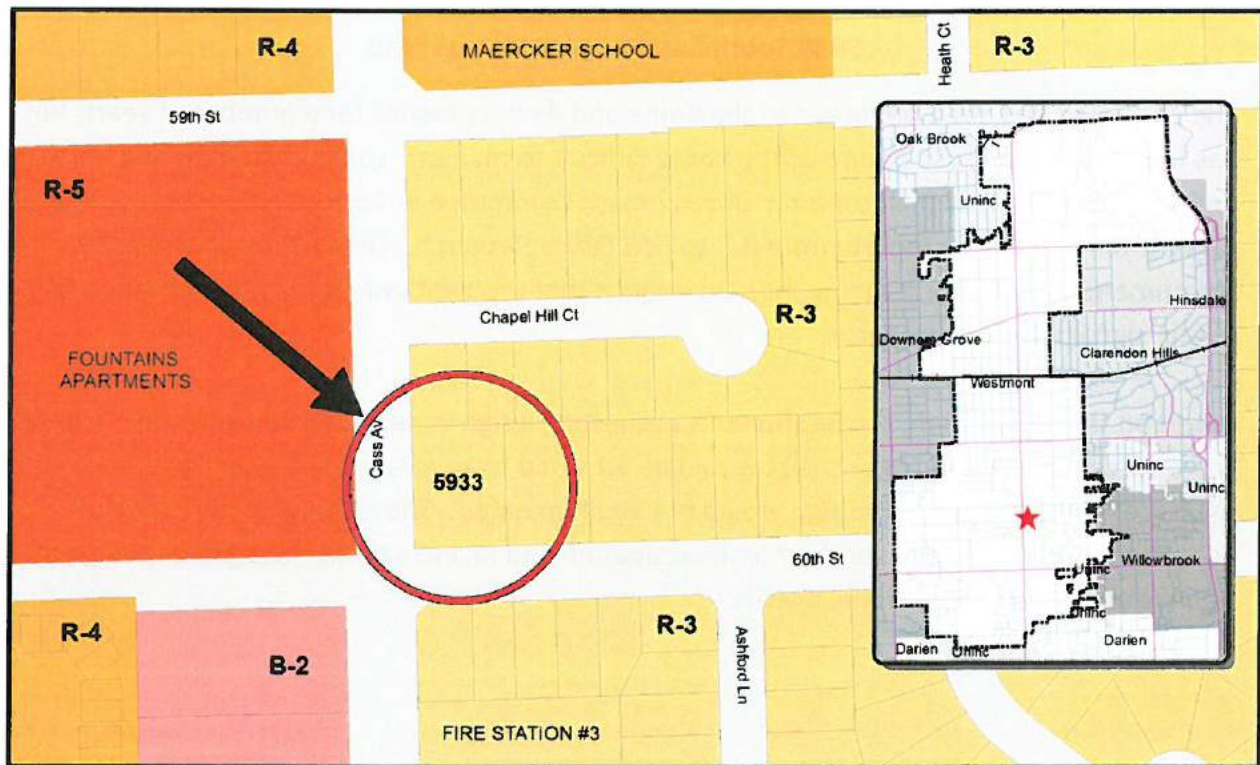
**P/Z 16-007**

**TITLE: Angela Yuan regarding the property located at 5933 South Cass Avenue, Westmont, IL 60559 for the following:**

- (A) Zoning Code Variance request to permit a home occupation sign in the R-3 Single Family Detached Residence District.
- (B) Zoning Code Variance request for relief from the maximum allowable sign size in the R-3 Single Family Detached Residence District.

**BACKGROUND OF ITEM**

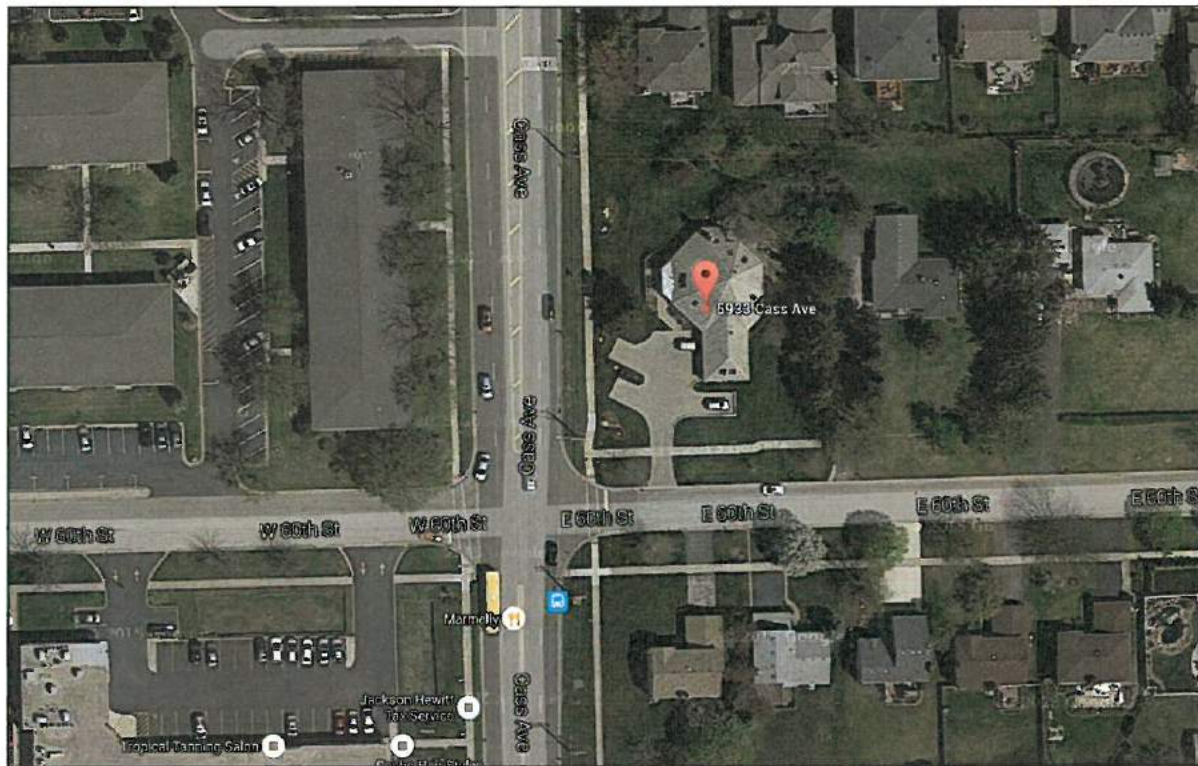
The subject property is located on the north east corner of Cass Avenue and 60th Street, and has frontage to Cass Avenue. Although adjacent properties are all residentially zoned, Cass Avenue in the immediate area also has both commercial and institutional uses.



**5933 South Cass Avenue Zoning Map**



The property is zoned R-3 Single Family Detached Residence District and was constructed by the petitioner in 1992 specifically as a residence and private dental office. No variances were needed for the home occupation as all provisions of the Village Zoning Ordinance were met.



**5933 South Cass Avenue - Aerial Map**

The petitioner has been trying to sell the home and dental practice for a number of years, but has found the mixed-use nature of the home difficult to market. Looking for alternatives, the petitioner approached the Economic Development Committee in April of 2015 with a proposed request to rezone the property from R-3 to O/R Office Research. The EDC made a negative recommendation to the rezoning, but did suggest that the petitioner look into a variance to obtain signage for the property.

Based on that suggestion, the petitioner is requesting a sign variance for the property. The sign is proposed as individual letters that would be attached to an existing screening wall, and would measure 4.8 square feet. The sign would not be illuminated. The request requires both a variance to permit signage for the home occupation and an increase in the square footage of signage allowed in a residential district.





**5933 South Cass Avenue**

### **ZONING ANALYSIS**

The subject property is located in the R-3 Single Family Detached Residence District. The district allows a sign of one (1) square foot in size, but the home occupation regulations prohibit any signage related to the business. An analysis of the requests are addressed in the table below.



**Signage proposed to be attached to screen wall**



Regulating Code	Request
<b>Residential Signs:</b> Appendix "A" Section 11.14 (a)(1) Maximum Gross Surface Area in square feet for a Single-Family Dwelling - 1 square foot Self-Supported Ground Signs - Permitted	<b>4.8 square feet  Self-Supported Ground Sign  Exceeds permitted by 3.8 sq ft  (Increase of 480%)</b>
<b>Home Occupations:</b> Appendix "A" Section 6.01 (A)(2) "There are no signs, display or activity that will indicate from the exterior that the building is being used, in part, for any purpose other than that of a dwelling;"	<b>Allowance of 1 sign</b>

### SUMMARY

The petitioner seeks sign variances to allow for a 4.8 square foot sign designating a home occupation in an R-3 District. Staff acknowledges that impacts to the adjacent residential will be nominal when considering the overall small size of the signage viewed only from Cass Avenue.

### DOCUMENTS ATTACHED

1. Public notice as published in the April 27, 2016 edition of the Westmont Progress.
2. Application for variance, with associated application materials, dated April 07, 2016.
  - a. Plat of Survey, prepared Richard Market Associates, Inc., dated July 13, 1991.
  - b. Plot Plan, prepared by Roake and Associates, Inc., dated July 15, 1991.
  - c. Signage Elevation, prepared by Alphabet Signs, undated.



LEGAL NOTICE / PUBLIC NOTICE  
VILLAGE OF WESTMONT  
PLANNING AND ZONING COMMISSION AGENDA  
NOTICE OF PUBLICATION

NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, May 11, 2016 at 7:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559.

The purpose of the hearing is to consider a request from TESLA Motors regarding the property located at 50 West Ogden Avenue, Westmont, IL 60559 for the following:

- (A) Special Use Permit request to operate an automobile dealership in the B-2 General Business District.

Legal Description:

PARCEL 1:

LOTS 1, 2, 3, 4, 5, 6, 7, AND 8 IN GRANT STREET DEVELOPMENT SUBDIVISION, BEING A SUBDIVISION OF LOTS 15, 16, 17, 18, 19, AND 20, IN BLOCK "D" IN FIRST ADDITION TO LIBERTY PARK, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 7, 2005 AS DOCUMENT NO. R2005-044856 AND CERTIFICATE OF CORRECTION RECORDED NOVEMBER 4, 2005 AS DOCUMENT NO. R2005-247290, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF GRANT STREET ADJACENT TO LOTS 1 THROUGH 8 IN GRANT STREET DEVELOPMENT SUBDIVISION WHICH LIES SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 8, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 19, 2015 AS DOCUMENT R2015-015838, IN DUPAGE COUNTY, ILLINOIS.

More Common Location: 50 West Ogden Avenue, Westmont, IL 60559  
PINs: 09-04-221-024, 09-04-221-025, 09-04-221-026, 09-04-221-027,  
09-04-221-028, 09-04-221-029, 09-04-221-030, 09-04-221-033

Village Code(s) Applicable: Appendix "A", Section 7.03(A)(8)(d)  
Appendix "A", Section 7.04  
Appendix "A", Section 13.09

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the Village of Westmont, Illinois, 60559 between 8:00 A.M. to 4:00 P.M. Monday through Friday, or telephone (630) 981-6210 voice, or (630) 981-6300 TDD, within a reasonable time before the meeting.  
All interested persons in attendance will be allowed to express their views.

WESTMONT PLANNING AND ZONING COMMISSION - Ed Richard Chairperson

April 27, 2016  
Westmont Suburban Life 1181557

PUBLIC NOTICES

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VILLAGE OF WESTMONT  
PLANNING AND ZONING COMMISSION AGENDA  
NOTICE OF PUBLICATION

NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, May 11, 2016 at 7:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559.

The purpose of the hearing is to consider a request from Angela Yuan regarding the property located at 5933 South Cass Avenue, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance request to permit a home occupation sign in the R-3 Single Family Detached Residence District.  
(B) Zoning Code Variance request for relief from the maximum allowable sign size in the R-3 Single Family Detached Residence District.

Legal Description:

LOT 5 IN BOCIAN'S RESUBDIVISION OF LOT 16 (EXCEPT THE NORTH 117.0 FEET THEREOF) IN BRAMIGAR BROTHERS' 55th STREET FARMS A SUBDIVISION OF THE NORTH WEST QUARTER (EXCEPT SCHOOL LOT) OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID BOCIAN'S RESUBDIVISION RECORDED MAY 18, 1956 AS DOCUMENT 80087, IN DU PAGE COUNTY, ILLINOIS.

More Common Location: 5933 South Cass Avenue, Westmont, IL 60559  
PIN: 09-15-300-010

Village Code(s) Applicable: Appendix "A", Section 6.01 (A)(2)  
Appendix "A", Section 11.14 (a)(1)  
Appendix "A", Section 13.07

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the Village of Westmont, Illinois, 60559 between 8:00 A.M. to 4:00 P.M. Monday through Friday, or telephone (630) 981-6210 voice, or (630) 981-6300 TDD, within a reasonable time before the meeting.

All interested persons in attendance will be allowed to express their views.

WESTMONT PLANNING AND ZONING COMMISSION  
Ed Richard Chairperson

April 27, 2016  
Westmont Suburban Life 1181582



Monday, April 4, 2016

Community Development Department  
Village of Westmont  
31 W Quincy St  
Westmont, IL 60559

Re : Variance request for signage at 5933 South Cass Avenue

Dear Sir/Madam:

We are residents of Westmont and I have practiced dentistry here for the past 36 years. In addition, Angela is the founder and president of ICARE, a not-for-profit organization offering 60-units of affordable residences for the elderly at 501 North Cass Avenue since 1986. In 1992, we constructed my current dental home/office at 5933 South Cass Avenue (zone R-3). The building plans and blue prints were fully reviewed and approved by Westmont Village officials, meeting all building codes and requirements. For the past 24 years, my business has run smoothly without any complaints from neighbors.

After our rezoning petition was not approved on April 1, 2015, the planning committee suggested that we could apply for variance at least to have signage on our property for the business. This is our petition for a signage variance on our property at the corner of Cass Avenue and 60th Street. Our building has a Cass Avenue address and faces this street. As I'm certain you are aware, this corner has frequent automobile accidents because it is a very busy street. New patients often miss our building or slow down at the corner because there is no sign, causing congestion and possibly dangerous traffic situations. The sign will not only help our friends and patients find our building, but could also prevent accidents and dangerous traffic situations.

Because this is a variance, we want to present a plan involving the least construction, the least change of current physical structures, and the least change in landscaping. Therefore, our proposal for signage will not involve any construction, change in physical structures, or change in landscaping. We would like to use an existing low wall in front of our front door entrance with ten 9-inch plastic letters: *Dental Care*. The total area of the signage letters will be around 4.8 square feet. This existing wall was approved by the village on our original site plan. The dimensions of this existing wall is 4-feet height and 26-feet long (see attached picture). The signage will not be neon nor illuminated.

Enclosed please find the rendering, site plan with landscaping, survey. Please do not hesitate to ask any question you may have. Thank you for your time!

Sincerely,



Dr. Leon L Yuan, PhD, DDS  
Angela L Yuan



### Addendum: Findings of Fact for Variations

#### **Variation #1 to Village Code Article VI, Section 6.01(A)(2)**

*There are no signs, display or activity that will indicate from the exterior that the building is being used, in part, for any purpose other than that of a dwelling.*

- (A) *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

The Yuans built a contemporary, high-end building on Cass Avenue for the purpose of providing dental services and being a residence. The building is state of the art with a high cost to build. It was featured on the front cover of an international dental magazine. The Yuans submitted a very detailed, complete blueprint to the Village of Westmont prior to construction and it was approved to be completely in compliance to code in 1991. For the past couple of decades, there was no need for a sign because Dr. Yuan already had a full set of patients from his established dental practice beginning in 1979. The old building was only one mile north at 31 East Chicago Avenue in Westmont. This old building had a very large sign (possibly 7 feet high by 15 feet wide) on the west side of the building which could be seen from the corner of Chicago Avenue and Cass Avenue.

Currently, many of Dr. Yuan's patients from 31 East Chicago Avenue have moved elsewhere or passed away. In addition, the market today in the dental profession has turned almost exclusively to large corporate group practices with high visibility. Without a sign, Dr. Yuan's practice cannot compete and survive. The Yuans are not able to market this practice providing dental services without a sign in the front of the building. As a matter of fact, most people in the area have no idea that the building is a dental office. Therefore, the absence of a sign cannot yield a reasonable return.

- (B) *The plight of the owner is due to unique circumstances.*

The property is unique because it is one of the few residences on one of Westmont's busiest streets, Cass Avenue. It is only two-blocks north of 63rd Street. Between this property and 63rd Street, it is full of business shops, gas stations and strip malls. There are signs on both sides of Cass Avenue south of this building.

- (C) *The variation, if granted, will not alter the essential character of the locality.*

The proposed sign is minimalistic and professional. There will no neon or illumination in the sign. The proposed sign consists of only 10 white letters which will be fastened to an *existing* low wall in the front of the building's entrance.



**Variation #2 to Village Code Article XI, Section 11.14**

*Single-family dwelling: 1 square foot maximum gross surface area*

- (A) *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

[Same as above]

- (B) *The plight of the owner is due to unique circumstances.*

The building is on Cass Avenue which is one of the busiest streets in Westmont. A 1 square foot sign will not be viewable from the road. Even worse, a small sign could cause dangerous traffic situations when a driver slows down to look for the building trying to read the sign. There is a high frequency of accidents at the corner of Cass Avenue and 60th Street where there is no traffic light. Last year, even the electric pole was knocked down as a result of an accident.

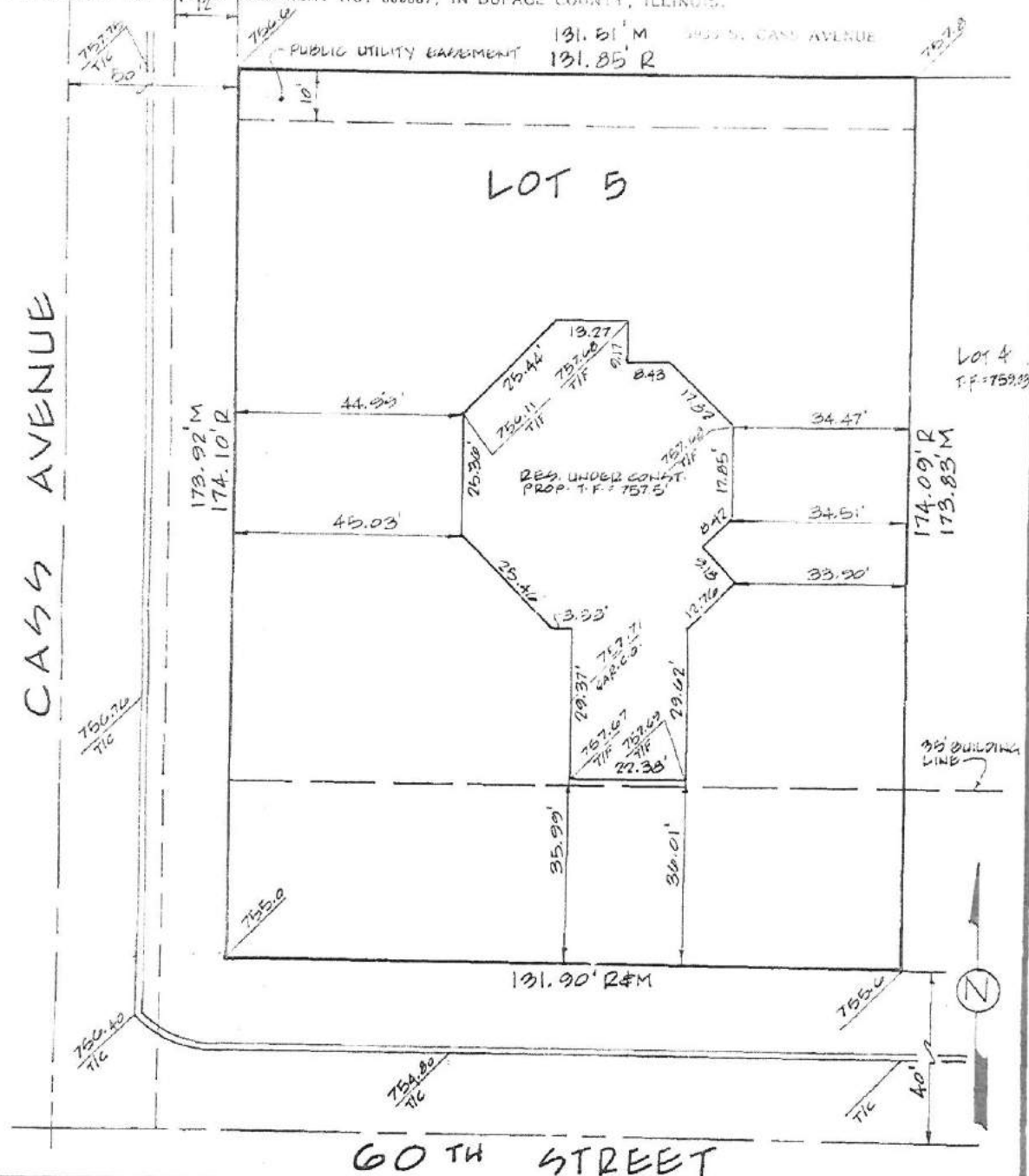
- (C) *The variation, if granted, will not alter the essential character of the locality.*

[Same as above]



## OF

CASS AVENUE



TYPE	DRAWN BY	DATE	BRN/PG/DISC
VACANT	ARZ	6.7.91	
PLOT PLAN			
FNDN	ARZ	7.15.91	44/14-2nd 12.2.91
GRADING			
MTG			
SCALE	1" = 20'	JOB NO.	317-4000



## OF

131.51' M 5943 S. CASS AVENUE



MRS. YUAN

CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS  
1604 QUINCY AVE. NAPERVILLE, IL 60540 (708) 355-3232

TYPE	OWN BY	DATE	BR/PG/DISC
VACANT	ARZ	6.7.91	
PLOT PLAN	ARZ	5-11-92	
TRON	ARZ	7-15-91	44/14 - 216/122 DOC 1012
GRADING			
MO			
SCALE	1" = 20'	JOB NO	135.92268





9-inch plastic building letters

Total Dimension: Approximately 77 inches wide x 9 inches high

Material: Outdoor Plastic Building Letters

Color: White

Font Style: Bodini Italic

Mount: Stud to Brick

[www.alphabetsigns.com](http://www.alphabetsigns.com)



TWO STORY BRICK RESIDENCE  
TOP/FDN EL. = 757.5

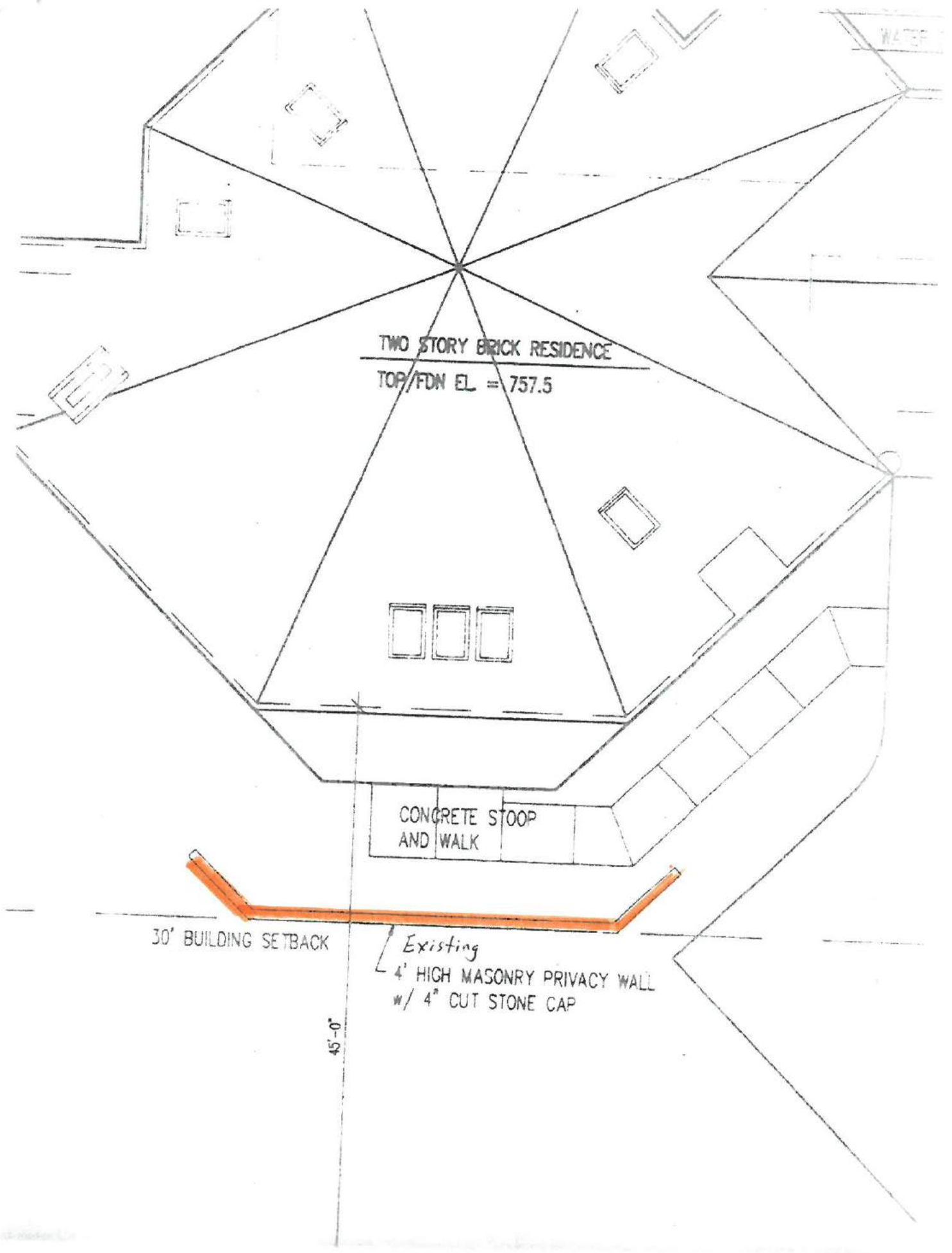
CONCRETE STOOP  
AND WALK

30' BUILDING SETBACK

Existing  
4' HIGH MASONRY PRIVACY WALL  
w/ 4" CUT STONE CAP

45'-0"

WATER





**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF MAY 11, 2016**

**P/Z 16-007 – Angela Yuan regarding 5933 South Cass Avenue, Westmont**

Request for variances to allow a home occupation sign and to grant relief from the maximum allowable sign size for property located in the R-3 Single Family Detached Residence District.

***CRITERIA NO. 1:** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

**FINDINGS OF FACT:** The Applicant has used the property as a home occupation dentist office since 1992 without any signage. In order to notify customers of this location along busy Cass Avenue, the Applicant is requesting to install one sign. Without a sign which notifies the public about the location of this dental office, the Applicant cannot market its home occupation and yield a reasonable return on the property.

***CRITERIA NO. 2:** The plight of the owner is due to unique circumstances.*

**FINDINGS OF FACT:** This property is unique in that it is a single-family home located on heavily-trafficked Cass Avenue, a busy commercial corridor. Signage for this home occupation would be consistent with the character of the area and existing commercial signage in the area.

***CRITERIA NO. 3:** The variation, if granted, will not alter the essential character of the locality.*

**FINDINGS OF FACT:** The proposed sign will be affixed to an existing separation wall and will not be illuminated. The property is located on Cass Avenue, and surrounding commercial properties have significant signage. The proposed sign will not adversely impact the character of this area.

  7   The Planning and Zoning Commission agrees with the above findings.

  0   The Planning and Zoning Commission does not agree with the above findings.